

REMARKS

Claims 1 and 3-6 are pending in this application. Claims 4 and 5 are withdrawn from consideration as being drawn to a non-elected Species, there being no generic or linking claim. Rejoinder of claims 4 and 5 is respectfully requested.

By this Amendment, claims 1 and 2 are amended. Claim 1 is amended to recite features supported in the specification at, for example, page 11, lines 9-30. Claim 2 is rewritten into independent form. No new matter is added by any of these amendments.

Applicant gratefully acknowledges that claims 2 and 3 contain allowable subject matter. As such, Applicant rewrites claim 2 into independent form. However, Applicant asserts that claims 1 and 6 are also allowable for the reasons discussed below. Reconsideration of the application is respectfully requested.

I. Request for Acknowledgement that References are Considered of Record

Information Disclosure Statements with Forms PTO-1449 were filed on June 30, 2003 and July 28, 2003. Applicant has not yet received back from the Examiner copies of the two Forms PTO-1449 initialed to acknowledge the fact that the Examiner has considered the cited disclosed information.

The Examiner is requested to initial and return to the undersigned both copies of the subject Forms PTO-1449. For the convenience of the Examiner, copies of those forms and the PTO date-stamped receipts are attached.

II. Request for Acknowledgement of Claim for Priority

The Office Action Summary does not acknowledge either the claim for priority of Japanese Patent Application 10-345539 having a priority date of December 4, 1998 or receipt of the certified copy of the priority document filed with the parent application U.S. Patent Application 09/455,447 on March 9, 2000.

A copy of the USPTO-stamped receipt and front cover of the priority document are attached showing that the priority document was submitted. The U.S. Patent and Trademark Office is requested to acknowledge receipt of the certified copy of the priority document, and indicate that the requirements of 35 U.S.C. §119 have been satisfied.

III. Claims 1 and 6 Define Patentable Subject Matter

The Office Action rejects claims 1 and 6 under 35 U.S.C. §102(e) over U.S. Patent 6,822,706 to Gomi *et al.* (hereinafter “Gomi”). This rejection is respectfully traversed.

Gomi does not teach or suggest an electro-optical panel, including a first substrate, a second substrate adhered to the first substrate with a sealant, an electro-optical substance sandwiched between an inside surface of the first substrate and an inside surface of the second substrate, and a third substrate disposed above the outer side of at least one of the first substrate and the second substrate, the third substrate being formed of a same material as the at least one of the first substrate and the second substrate, the size of the third substrate being larger than the size of the first substrate, the position of the end surface of the first substrate being disposed inwardly of the third substrate, and a shielding member being disposed on the third substrate, along the peripheral region of the third substrate, as recited in claim 1.

Gomi discloses a liquid crystal display device with a panel 10. In particular, Gomi teaches the device having upper and lower panels 101, 102, upper and lower polarized plates 103, 104, a reflection plate 105, transparent electrodes 106A, 106B, a liquid crystal driver 107, a film carrier 108 of resin, and a light shielding film 109 (col. 3, lines 8-47 and Fig. 2 of Gomi).

However, Gomi fails to teach or suggest a third substrate being formed of the same material as used for the transparent substrates. Because Gomi does not include this feature, Gomi cannot provide the advantage of the third substrate as a “dust proofing” layer adhered to the liquid crystal panel of a projector. In the absence of dust proofing, when dust adheres

to a substrate of the liquid crystal panel, or when the substrate is scratched, the dust or scratches may be brought into focus by the condensing optical system of the projector and thus visible in the projected image.

When a dust proofing substrate is provided to which the dust clings, the dust is separated from the focal point of the condensing optical system, thereby not being visible in the projected image. The dust proofing substrate is made from the same material as the panel substrate to which it is adhered to ensure that no refraction occurs from disparate materials between the panel substrates and the dust proofing substrate.

In contrast, Gomi teaches the film carrier 108 as a flexible substrate for connecting the panel 10 with the control unit of the display device in which the panel 10 is mounted. The film carrier 108 is composed of resin film (col. 3, line 28 of Gomi).

A claim must be literally disclosed for a proper rejection under §102. This requirement is satisfied “only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference” (MPEP §2131). Applicant asserts that the Office Action fails to satisfy this requirement with Gomi.

The above reasons also apply by extension to claim 6 based on its dependence from claim 1. Applicant respectfully requests that the rejection under 35 U.S.C. §102 be withdrawn.

IV. Conclusion

In view of the foregoing, Applicant respectfully submits that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Gerhard W. Thielman
Registration No. 43,186

JAO:GWT/gwt

Attachments:

Copy of stamped receipt for Information Disclosure Statement (July 28, 2003)
Copy of PTO-1449 filed July 28, 2003
Copy of stamped receipt for Information Disclosure Statement (June 30, 2003)
Copy of PTO-1449 filed June 30, 2003
Copy of stamped receipt for Claim for Priority (January 11, 2000)
Cover page of Certified Priority Document filed with parent application

Date: March 2, 2005

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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